

Message Text

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PAGE 01 STATE 103565
ORIGIN L-03

INFO OCT-01 IO-13 ISO-00 EB-07 TRSE-00 CIAE-00 INR-07
NSAE-00 SS-15 NSC-05 SP-02 OIC-02 CCO-00 SSO-00
NSCE-00 INRE-00 /055 R

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APPROVED BY L:MBFELDMAN
IO/IEP - MR. POOLE
EB/IFD/OIA - MR. KAUZLARICH
TREASURY - MR. CLAPP
-----061957Z 055164 /73
Z 061935Z MAY 77 ZFF4
FM SECSTATE WASHDC
TO USMISSION USUN NY FLASH

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PASS RUBIN AND SMITH, TNC DELEGATION

E.O. 11652: N/A

TAGS: EINV, UN

SUBJECT: TNC COMMISSION, ESTABLISHMENT OF INFORMATION
SYSTEM

REF. STATE 101376

1. DEPARTMENT CANNOT ACCEPT DRAFT COMMISSION REPORT WHICH
WOULD ADOPT GUIDELINES AND PROCEDURES FOR INFORMATION
COLLECTION PROPOSED BY CENTER IN E/C.10/27, EXPAND MANDATE
OF CENTER BY AUTHORIZING SOLICITATION OR RETENTION OF
CONFIDENTIAL INFORMATION ON TNC'S, AND AUTHORIZE IMPLEMEN-
TATION OF ACCOUNTING STANDARDS EXPERTS RECOMMENDATION
BEFORE THEY ARE FINISHED AND APPROVED BY GOVERNMENTS. WE
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OBJECT PARTICULARLY TO PARAS. 69, 70 AND 72 OF ABOVE SEC
DOC AND TO PARAGRAPH 65 WHICH MISQUOTES REPORT OF SECOND
SESSION OF COMMISSION BY DELETING THE WORDS "PUBLICLY
AVAILABLE" AT THE BEGINNING OF THE QUOTATION (SEE REFTEL
PARA. 1(C)). USDEL SHOULD SEEK STRONGEST POSSIBLE SUPPORT
FOR STRATEGY THAT WOULD AVOID SUCH MODIFICATION OF CENTER'S
MANDATE AT THIS TIME. IF COMMISSION INSISTS ON TAKING

DECISION NOW USDEL SHOULD INSIST ON VOTE AND VOTE "NO" WITH
STATEMENT CLEARLY RECORDING THAT OUR OPPOSITION IS BASED ON

PREMATURE ADOPTION OF THESE PARAGRAPHS WHICH RAISE ISSUES
OF FUNDAMENTAL IMPORTANCE THAT NEED MATURE CONSIDERATION
BY ALL GOVERNMENTS.

2. AS NOTED IN U.S. POSITION PAPER AND REFTL, WE DO NOT
BELIEVE CENTER HAS YET ESTABLISHED ADEQUATE NEED FOR
CONFIDENTIAL INFORMATION OR GUIDANCE FOR ITS USE OR
PROTECTION. WE ARE FURTHER CONCERNED AT IMPLICATIONS IN
CENTER'S REPORT THAT IT MIGHT UNDERTAKE TO INVESTIGATE
PARTICULAR TRANSACTIONS OR ACTIONS OF TNC'S AT INITIATIVE
OF GOVERNMENTS. WE ALSO BELIEVE THAT COMMISSION SHOULD
NOT AUTHORIZE CENTER TO COLLECT CONTRACTS AND AGREEMENTS
WITHOUT A FULL DISCUSSION OF THE CIRCUMSTANCES IN WHICH
AGREEMENTS SHOULD BE SOLICITED AND HOW THE INFORMATION
WOULD BE USED. (SEE PARA. 22 OF REPORT OF SECOND SESSION.)

3. WE WOULD MUCH PREFER TO HAVE COMMISSION DEFER ACTION
ON THE CENTER'S RECOMMENDATIONS AT THIS SESSION. A
PARAGRAPH CAN BE INSERTED WHICH STATES THAT IN VIEW OF
LATE RECEIPT OF CENTER DOCUMENTATION, ESPECIALLY
E/C.10/27 AND 28, AND COMPLEXITY OF ISSUE, CENTER SHOULD
CONTINUE TO COLLECT INFORMATION UNDER THE MANDATE CONTAINED
IN REPORT OF SECOND SESSION. THE CENTER SHOULD ALSO,
TAKING INTO ACCOUNT THE VIEWS OF GOVERNMENTS CONTAINED IN
SECOND PART OF REPORT, DRAFT MORE DETAILED GUIDELINES
AND PROCEDURES FOR SUBMISSION TO AND CONSIDERATION BY THE
COMMISSION AT ITS FOURTH SESSION.
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4. WE WOULD ACCEPT, HOWEVER, ADOPTION OF DRAFT REPORT WITH
DELETION OF PHRASE "WITH SATISFACTION" ON PAGE 5 AND
DELETION OR BRACKETS AROUND PARAGRAPH LETTERED "D" ON
PAGE 6 AND, MOST IMPORTANT, FIRST SENTENCE OF MAIN
PARAGRAPH ON PAGE 6 STATING THE COMMISSION'S ENDORSEMENT
OF THE GUIDELINES. CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INSTRUCTIONS, MULTINATIONAL CORPORATIONS, INFORMATION CENTERS, RESOLUTIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 06-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE103565
Document Source: CORE
Document Unique ID: 00
Drafter: SRBOND:LHS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770160-0195
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770584/aaaacunl.tel
Line Count: 104
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 74af0799-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 STATE 101376
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2613181
Secure: OPEN
Status: NATIVE
Subject: TNC COMMISSION, ESTABLISHMENT OF INFORMATION SYSTEM
TAGS: EINV, US, UN
To: USUN NEW YORK
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/74af0799-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009